

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**AARON ABADI,**

Plaintiff,

-against-

**AMERICAN AIRLINES, INC., et al.,**

Defendants.

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**Case 23-CV-4033 (LJL)**

**LETTER TO THE COURT – Re: President BIDEN’s Immunity**

Dear Honorable Judge,

I write to apprise the Court of a recent development concerning the matter at hand. Today, on February 6, 2024, the United States Circuit Court of Appeals for the District of Columbia Circuit rendered a decision (Exhibit A) pertinent to the issue of absolute immunity for a sitting president of the United States. Notably, the Court ruled that such immunity is not absolute.

In accordance with a prior Order issued by this Court on August 31, 2023 (Doc. 17), wherein it was determined that "The President is absolutely immune," Plaintiff's plea to litigate against President Joseph R. Biden was denied. However, in light of the recent decision by the Circuit Court, which modifies the understanding of presidential immunity, Plaintiff now seeks the Court's indulgence to reinstate President Biden as a Defendant in this case.

Your consideration in this matter is greatly appreciated.

Respectfully submitted this 6<sup>th</sup> day of February, 2024.

*s/Aaron Abadi*


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**MEMO ENDORSEMENT.**

The motion is denied as futile. *Nixon v. Fitzgerald*, 457 U.S. 731 (1982) (granting absolute immunity to sitting presidents in civil actions).

2/13/2024 SO ORDERED.

  
LEWIS J. LIMAN  
United States District Judge